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**MAR 26 2007**

**OFFICE OF PETITIONS**

In re Application of	:	
Junghanns et al.	:	
Application No. 09/917,038	:	ON PETITION
Filed: July 27, 2001	:	
Attorney Docket No. Jungshamm et al.-1	:	

This is a decision on the petition under 37 C.F.R. § 1.137(b), filed May 2, 2006, to revive the above-identified application.

The petition is **GRANTED**.

The petition satisfies the conditions for revival pursuant to the provisions of 37 CFR 1.137(b) in that (1) the reply in the form of a Response to Restriction Requirement; (2) the petition fee; and (3) the required statement of unintentional delay have been received. Accordingly, the response has been accepted as having been unintentionally delayed.

The above-identified application has been abandoned for an extended period of time. The Patent and Trademark Office is relying on petitioner's duty of candor and good faith and accepting the statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional.


There is no indication that the person signing the instant petition was ever given a power of attorney or authorization of agent to prosecute the above-identified application. If the person signing the instant petition desires to receive future correspondence regarding this application, the appropriate power of attorney or authorization of agent must be submitted. While a courtesy copy of this decision is being mailed to the person signing the instant petition, all future correspondence will be directed solely to the address currently of record until such time as appropriate instructions are received to the contrary.

Petitioner only submitted \$650.00 towards payment of the \$750.00 petition fee. However, petitioner's deposit account was subsequently charged \$1500.00. Accordingly, \$1400.00 will be credited to petitioner's deposit account, as authorized, and \$100.00 will be applied towards the petition fee.

This matter is being referred to Technology Center 1600 for further examination on the merits.

<sup>1</sup> See Changes to Patent Practice and Procedure, 62 Fed. Reg. at 53160 and 53178; 1203 Off. Gaz. Pat. Office at 88 and 103 (responses to comments 64 and 109) (applicant obligated under 37 CFR 10.18 to inquire into the underlying facts and circumstances when providing the statement required by 37 CFR 1.137(b) to the Patent and Trademark Office).

Telephone inquiries regarding this decision should be directed to the undersigned at (571) 272-3206.

  
Liana Walsh  
Petitions Examiner  
Office of Petitions

Cc:

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